

REMARKS/ARGUMENTS

This is a response to the final Office Action dated March 6, 2008 and is being submitted with a Request For Continued Examination.

Claims 1-96 and 107-130 are pending in the present application with claims 1, 39, 66, 96, 107 - 110, 122, 123 and 127 being independent form. Claims 97-106 were previously withdrawn.

Claims 1-26, 29-87, 90-96, and 107-130 have been rejected under 35 U.S.C. § 102(b) as originally being anticipated by U.S. Patent No. 5,760,689 to Holmgren. Reconsideration of this rejection is respectfully requested.

Applicants appreciate the courtesy extended to Applicants' attorney Keith Barkaus during the telephone interview of April 28, 2008. During that interview, claims 1, 39, 66, 69, 107-110, 122 and 123 were discussed in conjunction with the Holmgren reference, in particular, elements 13 and 15 of Holmgren were discussed. While the Examiner did not agree with Applicants arguments that elements 13 and 14 are integral with each other and that element 14 clearly extends outside of the lid and thus cannot be part of a "locking member" that is entirely internal to the lid of the device in Holmgren, as is required by the claims of the present application, the Examiner did acknowledge that element 13 was open to an exterior of the device. The Examiner indicated that it was likely that if the claims were amended to specify that the locking member was not exposed to an exterior of the device, they would likely be distinguishable from Holmgren. While Applicants do not believe that the elements 13 and 15 of Holmgren can constitute a "locking member" that is entirely internal to the lid, in an effort to advance prosecution of the present application, Applicants have amended the claims to include the limitation suggested by the Examiner.

For example, amended claim 1 relates to a lockable container for securing an asset therein that includes a first cover, a second cover coupled to the first cover, wherein the first and second covers are configured to move between an open position which allows access to the asset, and a closed position which encloses the asset, a locking mate arrangement operatively coupled to at least one of the first and second covers and a locking member, wherein the locking member is configured to move between an unlocked position in which the first and second covers can move

to the open position and a locked position which locks the first and second covers in the closed position, and wherein the entirety of the locking member is internal to the container in the unlocked position such that the locking member is not exposed to an exterior of the lockable container, and the locking member is permanently connected to the lockable container.

Holmgren fails to disclose such a container. In particular, as can be seen in Fig. 3, for example, of Holmgren, element 13 which the Examiner contends forms a part of the locking member, of claim 1, for example, of the present application, forms a portion of the exterior surface of the container. Thus, it is clear that the locking member alleged by the Examiner is exposed to the exterior of the container, contrary to the requirements of amended claim 1, for example, of the present application.

Accordingly, it is respectfully submitted that claim 1, and the claims depending therefrom, are patentable over the cited art for at least the reasons described above.

Independent claims 39, 66, 107, 108, 109, 110 and 122, similarly refer to containers systems and methods for securing or accessing an asset. Each of these claims requires that the locking member is not exposed to the exterior of the container. As is noted above, Holmgren fails to disclose this feature.

Accordingly, it is respectfully submitted that claims 39, 66, 107, 108, 109, 110 and 122, and the claims depending therefrom, are also patentable over the cited art for reasons at least similar to those described above with reference to claim 1.

Claim 123 relates to a key arrangement for locking and unlocking a container, while 127 relates to a method for locking and unlocking a container. Both of these claims require that the entirety of the locking member is internal to the container in the unlocked position, and that the locking member is not exposed to the exterior of the container.

Accordingly, it is respectfully submitted that claims 123 and 127, and the claims depending therefrom, are also patentable for at least reasons similar to those described above.

Independent Claim 96 relates to a lockable container for securing an asset that includes a locking member being arranged entirely within the container such that the locking member is not exposed to an exterior of the container. As is noted above, the slide 13, and the housing 15 of Holmgren, which allegedly form the locking member of the present application, form a part of the exterior of the container, and thus, are clearly exposed to the exterior of the container.

Accordingly, it is respectfully submitted that claim 96, and the claims depending therefrom, are patentable over the cited art for at least reasons described above.

Claims 27-28 and 88-89 remain rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Holmgren. Reconsideration of this rejection is respectfully requested.

Claims 27-28 depend indirectly from independent claim 1, and claims 88-89 depend indirectly from independent claim 66. As is noted above, both claims 1 and 66 are believed to be patentable over Holmgren. Further, it is believed that the claims depending from claims 1 and 66, including claims 27-28 and 88-89, respectively, are also patentable over the cited art for reasons at least similar to those described above.

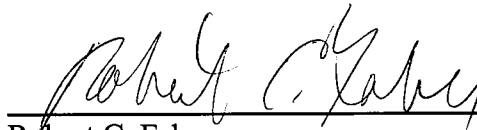
In light of the remarks and amendments made herein, it is respectfully submitted that claims 1-96 and 107-130 of the present application are patentable over the cited art and are condition for allowance.

Favorable reconsideration of the present application is respectfully requested.

Respectfully submitted,

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Robert C. Faber

Registration No.: 24,322

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700